

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RUBY FREEMAN and WANDREA' MOSS,

Plaintiffs,

v.

RUDOLPH W. GIULIANI,

Defendant.

No. 24-mc-00353-LJL

No. 24-cv-6563-LJL

DECLARATION OF AARON E. NATHAN
IN SUPPORT OF PLAINTIFFS' STATUS UPDATE RE DISCOVERY OF
DEFENDANT'S PROPOSED WITNESSES

I, Aaron E. Nathan, an attorney admitted to practice in this court, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am counsel to Plaintiffs Ruby Freeman and Wandrea' Moss ("Plaintiffs" or "Plaintiffs-Receivers") in the above-captioned actions.

2. Plaintiffs have made considerable efforts during the last three weeks, including over the holidays, to seek discovery from Mr. Giuliani and each of his proposed witnesses, including by serving them with subpoenas directly at the insistence of Mr. Giuliani's counsel, who declined to accept service on their behalf. Plaintiffs also expended significant time and expense in scheduling, canceling, and re-scheduling depositions to accommodate last-minute scheduling requests from Mr. Giuliani's proposed witnesses.

3. On December 26, 2024, counsel for Plaintiffs deposed Alan Placa in Palm Beach, Florida. A true and correct copy of excerpts of the transcript of Alan Placa's deposition is attached as **Exhibit 1**.

4. On December 27, 2024, counsel for Plaintiffs deposed Rudolph W. Giuliani in Palm Beach, Florida. A true and correct copy of the transcript of excerpts of Mr. Giuliani's deposition is attached as **Exhibit 2**. Mr. Giuliani has not produced any additional documents to Plaintiffs since his first "production" on December 8, 2024.

5. On December 29, 2024, Defendant's counsel emailed Plaintiffs' counsel in which he stated that Mr. Giuliani will not call either Michael Ragusa or Ryan Medrano at trial. Attached as **Exhibit 3** is a true and correct copy of this email exchange.

6. On December 31, 2024, counsel for Plaintiffs deposed Maria Ryan by Zoom. A true and correct copy of excerpts of Maria Ryan's deposition is attached as **Exhibit 4**. Dr. Ryan's deposition was noticed for December 30, 2024 in New York, but on December 29, 2024, Dr. Ryan requested a change of date and venue, which Plaintiffs' accommodated. To date, Dr. Ryan has only produced a single document in response Plaintiffs' document subpoena despite the Court's December 14, 2024 order (ECF No. 135¹). Dr. Ryan's deposition remains open.

7. On December 31, 2024, counsel for Plaintiffs deposed Theodore Goodman by Zoom. A true and correct copy of excerpts of Theodore Goodman's deposition is attached as **Exhibit 5**. Mr. Goodman's deposition was noticed for December 30, 2024 in New York, but on December 30, 2024, Mr. Goodman requested a change of date and venue, which Plaintiffs' accommodated. Mr. Goodman has not produced any documents to Plaintiffs, including following the Court's December 14, 2024 order (ECF No. 135).

8. On December 31, 2024, counsel for Plaintiffs deposed Ryan Medrano by Zoom. A true and correct copy of excerpts of Ryan Medrano's deposition is attached as **Exhibit 6**.

¹ Unless otherwise noted, all docket references herein refer to No. 24-cv-6563 (LJL).

9. Plaintiffs attempted to serve Mr. Ragusa repeatedly at his home address. Plaintiffs also corresponded with Mr. Ragusa by email and phone and attempted to serve Mr. Ragusa via email personally and via Mr. Giuliani's counsel, but neither would accept service. Plaintiffs were prepared to depose Mr. Ragusa as noticed on December 27, 2024 in New York and had a videographer and court reporter on site, but. Ragusa did not appear for his deposition. Mr. Ragusa did not produce any documents responsive to Plaintiffs' requests.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 2, 2025.

s/ Aaron E. Nathan
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*Attorney for Ruby Freeman and
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